IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

TUESDAY, THE 4TH SEPTEMBER 2007 / 13TH BHADRA 1929

Crl.MC.No. 1448 of 2007()

CRMP.799/2007 of JUDL.MAGISTRATE OF FIRST CLASS-II, KOLLAM
CRIME NO.68/2007 OF SAKTHIKULANGARA POLICE STATION

.....

PETITIONER:

R.RAVIKUMAR, S/O.RAGHAVAN PILLAI,
KALLINGARIKATHU VEEDU, KAVANADU P.O.,
KOLLAM - 3.

BY ADV. SRI.P.SIVARAJ

RESPONDENT:

STATE OF KERALA, REPRESENTED BY
SUB INSPECTOR OF POLICE,
SAKTHIKULANGARA POLICE STATION,
THROUGH PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.GIKKU JACOB

THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION ON 04/09/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R.BASANT, J.

Crl.M.C.No.1448 of 2007

Dated this the 4th day of September 2007

O R D E R

The petitioner has come to this court with the prayer that the crime registered in so far as it relates to him may be quashed.

2. The learned Public Prosecutor on instructions submits that the final report has already been filed even before this Criminal Miscellaneous Case was filed and in these circumstances it is for the petitioner to raise his contentions before the learned Magistrate and claim discharge.

3. The learned counsel for the petitioner submits that in the light of that submission, this petition can now be closed without prejudice to the right of the petitioner to claim discharge/dropping of proceedings in accordance with the Code of Criminal Procedure before the learned Magistrate. The request, I am satisfied, can be accepted.

4. In the result, this Criminal Miscellaneous Case is dismissed without prejudice to the rights of the petitioner under law to challenge the final report in appropriate proceedings and to claim discharge/dropping of proceedings.

(R.BASANT, JUDGE)

jsr // True Copy// PA to Judge

R.BASANT, J.

CRL.M.CNo.

ORDER

21ST DAY OF MAY2007